

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:

JVJ PHARMACY INC. D/B/A
UNIVERSITY CHEMISTS,

Chapter 7
Case No. 16-10508 (SMB)

Debtor.
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**ORDER ESTABLISHING DEADLINE FOR FILING PROOFS OF CHAPTER 11
ADMINISTRATIVE CLAIMS AND APPROVING THE FORM AND
MANNER OF NOTICE THEREOF**

Upon the application of Salvatore LaMonica, Esq., as the Chapter 7 Trustee (the “Trustee”) of the bankruptcy estate of JVJ Pharmacy Inc. d/b/a University Chemists (the “Debtor”), by his counsel, LaMonica Herbst & Maniscalco, LLP, seeking, pursuant to §§ 105(a) and 503(b) of Title 11 of the United States Code, 11 U.S.C. §§101, *et seq.* (the “Bankruptcy Code”) and Rules 1019(6) and 3003(c)(3) of the Federal Rules of Bankruptcy Procedure, entry of an Order (i) establishing **July 13, 2018** (the “Administrative Bar Date”) as the last day for all creditors with claims against the Debtors that arose from March 3, 2016, the date the Debtor filed its Chapter 11 bankruptcy petition, through December 21, 2017, the date the Debtor’s case was converted to a case under Chapter 7 of the Bankruptcy Code (an “Administrative Claim”), and (ii) approving the proposed form and manner of notice of the Administrative Bar Date (the “Administrative Bar Date Notice”) to be provided by the Trustee to all creditors and other interested parties, which is annexed as an exhibit to the Application; and it appearing that the manner of notice to be given of the entry of this Order as provided herein is reasonably calculated to give good and sufficient notice of the Administrative Bar Date; and sufficient cause appearing therefore, it is

ORDERED, that, except as otherwise provided herein, all persons and entities, (including, without limitation, individuals, partnerships, corporations, joint ventures, trusts and governmental

units) that assert an Administrative Claim, as defined in Section 101(5) of the Bankruptcy Code, against the Debtor which arose from March 3, 2016, the date the Debtor filed its Chapter 11 petition (the “Petition Date”), through December 21, 2017, the date the Debtor’s case was converted to a case under Chapter 7 of the Bankruptcy Code (the “Conversion Date”), shall file a proof of such Administrative Claim in writing or electronically on the Court’s website at www.nysb.uscourts.gov so that it is received on or before **July 13, 2018**; and, it is further

ORDERED, that the following procedures for the filing of proofs of Administrative Claims shall apply:

- (a) Proofs of Administrative Claim must conform substantially to Official Bankruptcy Form No. B410;
- (b) Attorneys (with full access accounts) and employees of institutional creditors (with limited access accounts) should file proofs of Administrative Claim electronically on the Court’s Case Management/Electronic Case File (“CM/ECF”) system. Those without accounts with the CM/ECF system may electronically create and file proofs of Administrative Claim through the “File A Proof of Claim” link on the Court’s website at www.nysb.uscourts.gov or by mailing or delivering the original proof of Administrative Claim to the United States Bankruptcy Court, Southern District of New York, One Bowling Green, New York, New York 10004;
- (c) Proofs of Administrative Claim will be deemed filed only when received by the Clerk of the Bankruptcy Court on or before the Administrative Bar Date; and
- (d) Proofs of Administrative Claim must (i) be signed; (ii) include supporting documentation (if voluminous, attach a summary) or an explanation as to why documentation is not available; (iii) be in the English language; and, (iv) be denominated in United States currency;

and, it is further

ORDERED, that the following persons or entities need not file a proof of an Administrative Claim on or prior to the Administrative Bar Date:

- (a) Any person or entity that has already filed an Administrative Claim against the Debtor in the above-captioned case in a form substantially similar to Official Bankruptcy Form No. B410;
- (b) Any holder of an Administrative Claim that has been allowed by Order of this

Court;

- (c) Any person or entity whose Administrative Claim has been paid in full by the Debtor;
- (d) Any holder of an Administrative Claim for which specific deadlines have previously been fixed by this Court;

and, it is further

ORDERED, that any person or entity that holds an Administrative Claim that arises from the rejection of an executory contract or unexpired lease, as to which the order authorizing such rejection is dated on or before the date of entry of this Order, must file a proof of claim based on such rejection on or before the Administrative Bar Date, and any person or entity that holds a claim that arises from the rejection of an executory contract or unexpired lease, as to which an order authorizing such rejection is dated after the date of entry of this Order, must file a proof of claim on or before such date as the Court may fix in the applicable order authorizing such rejection; and it is further

ORDERED, that if the Debtor files, amends and/or supplements its schedules subsequent to the date hereof, the Trustee shall give notice of any amendment or supplement to the holders of Administrative Claims affected thereby, and such holders shall be afforded thirty (30) days from the date of such notice to file proofs of Administrative Claims; and, it is further

ORDERED, that pursuant to Bankruptcy Rule 3003(c)(2), all holders of an Administrative Claim that fail to comply with this Order by timely filing a proof of Administrative Claim as provided in this Order shall not be treated as a creditor with respect to such Administrative Claim for the purposes of a distribution; and, it is further

ORDERED, that a copy of the Administrative Bar Date Notice, substantially in the form annexed, is approved and shall be deemed adequate and sufficient if served by first-class mail at least thirty-five (35) days prior to the Administrative Bar Date on:

- (a) The Debtor;
- (b) The United States Trustee;
- (c) All persons or entities that have requested notice of the proceedings in the Chapter 11 or Chapter 7 cases;
- (d) All persons or entities that have filed claims;
- (e) All creditors and other known holders of claims as of the date of this Order, including all persons or entities listed in the Debtor's bankruptcy schedules as holding claims and Schedules of Unpaid Debts;
- (f) All parties to litigation with the Debtor;
- (g) All parties to executory contracts and unexpired leases of the Debtor;
- (h) The Internal Revenue Service for the district in which the case is pending and, if required by Bankruptcy Rule 2002(j), the Securities and Exchange Commission and any other required governmental units (a list of such agencies is available from the Office of the Clerk of the Court); and
- (i) Such additional persons and entities as deemed appropriate by the Trustee;

and, it is further

ORDERED, that the Trustee is authorized and empowered to take such steps and perform such acts as may be necessary to implement and effectuate the terms of this Order.

Dated: May __, 2018
White Plains, New York

HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE